

COUNTY OF SUFFOLK

Z-2



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SUFFOLK COUNTY EXECUTIVE
Department of
Economic Development and Planning

Natalie Wright
Commissioner

Division of Planning
and Environment

STAFF REPORT SECTIONS A14-14 THRU A14-25 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

Applicant: TREC Bay Shore, LLC
Municipality: Islip
Location: South side of Union Boulevard between 3rd Avenue and 4th Avenue.

Received: 7/24/2020
File Number: IS-20-02
T.P.I.N.: 0500 39300 0300 021001
Jurisdiction: Adjacent to County Road 50 (Union Boulevard)

ZONING DATA

- Zoning Classification: Business District (Downtown Development District proposed)
- Minimum Lot Area: 20,000 SF (for apartment house)
- Section 278: N/A
- Obtained Variance: No Information - Parking (anticipated)

SUPPLEMENTARY INFORMATION

- Within Agricultural District: No
- Shoreline Resource/Hazard Consideration: No
- Received Health Services Approval: No
- Property Considered for Affordable Housing Criteria: Yes (20% per Town)
- Property has Historical/Archaeological Significance: No
- Property Previously Subdivided: No
- Property Previously Reviewed by Planning Commission: No
 - File:
 - Date:
 - Map of:
- SEQRA Information: EAF-Part 1
- SEQRA Type: unlisted
- Minority or Economic Distressed: Yes

SITE DESCRIPTION

- Present Land Use: Touro College's School of Health Science and Graduate School of Education.
- Existing Structures: 3 story institutional building
- General Character of Site: Level
- Range of Elevation within Site: 14-15' amsl
- Cover: Building and asphalt
- Soil Types: Urban land
- Range of Slopes (Soils Map): 0%
- Waterbodies or Wetlands: None

NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST

- Type: Change of Zone BD to DDD
- Layout: Enclosed 4 story apartment building with amenities
- Area of Tract: 10.34 Acres
- Yield Map:
 - No. of Units: 418 apartments (52 Studios, 237 1BR, 117 2BR & 12 3BRs)
 - Lot Area Range: N/A
- Open Space: N/A

ACCESS

- Roads: Public – 3rd Avenue, 4th Avenue and Mechanicsville Road.
- Driveways: Private - 618 on-site parking spaces proposed

ENVIRONMENTAL INFORMATION

- Stormwater Drainage
 - Design of System: Recharge on-site via catch basins & leaching pools
 - Recharge Basins: No
- Groundwater Management Zone: VII
- Water Supply: Public – Suffolk County Water Authority
- Sanitary Sewers: Public – connect to S.C.S.D. #3 – Southwest

PROPOSAL DETAILS

OVERVIEW – Applicants seek change of zone approval from the Islip Town Board for the construction of a 457,479 SF 4 story apartment building with 418 apartments. The proposed 4 story apartment building is designed to wrap around one parking lot and be adjacent to another parking lot intended to serve its residents. Ground floor and surface parking are proposed providing 618 off street parking stalls where 744 spaces (1.75 per unit plus 1 additional for each 3 bedroom unit) are required by Town of Islip Zoning Law (a 17% shortfall).

The subject development site is a total of 10.34 acre parcel zoned Business District (BD; 2,500 SF minimum lot size/FAR of 0.60) located in the hamlet of Bay Shore. The petitioners are requesting a change of the zone on the subject site to Downtown Development District (DDD; minimum lot size 20,000 SF; FAR 2.0 and maximum building height of 5 stories for apartment houses).

The applicant proposes to demolish the existing 3 story institutional building (Touro College's School of Health Science and Graduate School of Education) on site and develop the parcel as described above.

The site is located on the south of Union Boulevard between 3rd Avenue and 4th Avenue. A review of the character of the land use and zoning pattern in the vicinity indicates that the subject

property is located within a corridor of Business District zoning along and between Union Boulevard and Main Street, and within the specified boundaries of the Downtown Development District (floating zone).

According to the information contained in referral material, the project will be tied to the Town of Islip's Bay Way Corridor Project* along 4th Avenue. The existing sidewalks surrounding the subject property will be improved incorporating urban design features that enhance the pedestrian experience to promote the goal of creating a 'sense of place'.

The conceptual site plans submitted with the change of zone referral indicates 4 points of vehicular access for residents, including a main circular access to the subject property lobby is intended via 4th Avenue, likely for car and delivery services.

Information included in the referral to the Suffolk County Planning Commission indicated that all existing structures are to be demolished and removed. Copies of any prepared Phase I and II Environmental Site Assessments have not been submitted to the Suffolk County Planning Commission and it is not known if any have been prepared and submitted to the appropriate agencies.

The proposed project is to be connected to the Suffolk County Southwest Sewer District (SCSD #3) - Bergin Point wastewater treatment plant.

Storm-water runoff from the contemplated development is likely to use catch basins and leaching pools in the surface parking areas. In addition, the landscaped area in the parking lot on the north side of the building as well as building's peripheral areas are proposed to be wrapped with a treed landscape, could incorporate green drainage methodologies to manage storm-water runoff.

A Traffic Impact Study report was included in a prior SEQRA coordination request to the Department of Economic Development and Planning by the Town of Islip. Upon review of the environmental quality review reports including a Traffic Impact analysis Commission staff did not find motor vehicle congestion and circulation issues beyond mitigation.

Potable water is to be supplied to the proposed development by the Suffolk County Water Authority.

The proposed project is not located in a Suffolk County Pine Barrens Zone. The subject parcel is not located a State Special Groundwater Protection Area (SGPA). The site is situated over Hydro-geologic Management Zone VII. The subject property is not in a State designated Critical Environmental Area. No local or State designated wetland occur on the subject site. The subject property is not in the FEMA designated 100 yr. flood plain. The subject property is situated in the 0-2 and 10-25 groundwater travel times as per the Suffolk County Subwatersheds Plan (SWP) and in a SLOSH zone indicating the potential to be effected by overland storm surges from a category 3 hurricane.

It should be noted that the subject application is located in a minority community as defined by commission guidelines and required to be reported pursuant to Resolution 102-2006 of Suffolk County.

STAFF ANALYSIS

GENERAL MUNICIPAL LAW CONSIDERATIONS: New York State General Municipal Law, Section 239-I provides for the Suffolk County Planning Commission to consider inter-community issues. Included in such issues are compatibility of land uses, community character, public convenience and maintaining of a satisfactory community environment.

It is the belief of the staff that the proposed action does not contradict the intent of the State law and would be compatible with adjacent land uses. It is the belief of the staff that the proposed TREC Bay Shore, LLC project can be designed to be in harmony with the existing character of the area.

LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS: The Town of Islip Comprehensive Plan Community Identity for Bay Shore ('74) designates the subject site for retail. The Downtown Development District – “DDD” (last amended '19) is a special “incentive” zoning district which can be applied only within downtown Bay Shore, and which allows for a higher maximum density than the standard Business District “BD” zoning.

As mentioned before the conceptual site plan accompanying the change of zone application depicts a 4 story geometrically shaped apartment building wrapping around a proposed parking lot and outdoor resident amenities area. According to the Town of Islip some of the onsite amenities include first floor covered parking, bike storage room, fitness and social rooms, swimming pool and pavilion, other outdoor amenities and garden with landscaping typically not seen in the BD”

The proposed development lies within the Town of Islip’s ‘Bayway Corridor Project’ which encompasses the corridor of 4th Avenue and Maple Avenue between the Bay Shore LIRR Train Station and the Maple Avenue Dock (Fire Island Ferry) facility.

The proposed building will be consisting of 418 apartment units with a total building square footage proposed 457,479 S.F. on the 450,410 S.F. (10.34 acre) project site. This would equate to a proposed floor area ratio (FAR) of approximately 1.0. The Downtown Development District allows a FAR of 2.5, and maximum building height of 5 stories.

The maximum density allowed in accordance with the “Downtown Development District” requires a minimum average gross floor area per apartment to be 500 square feet. Therefore, based on the subject site area of 450,410 S.F. divided by 500 S.F. the maximum number residential units permitted would be 900 apartments. The proposal calls for 418 apartments (studios, 1, 2 & 3 bedrooms) in addition to other amenity floor areas. Therefore the proposal is requesting a density of less than 50% of a full allowable build-out.

Even though this project is well below the maximum allowable build-out for the requested zone change the Commission should be aware that the Downtown Development District does include a provision for providing development bonuses to those applicants who provide certain specified amenities with a project that is designed to improve the working, shopping and living environment of the downtown. The current proposal does appear address some of the 9 mitigation areas identified to qualify for development bonuses:

- 1) Improving pedestrian circulation
- 2) Encouraging a mix of land uses and housing types which take advantage of nearby mass transportation facilities
- 3) Improving traffic circulation and parking
- 4) Arranging and designing buildings to provide light and air to streets and other properties and to preserve and enhance scenic views
- 5) Encouraging the development of attractive, pedestrian-oriented retail areas.
- 6) Encouraging creative and superior architectural design.
- 7) Encouraging the retention and development of attractive and useful open space.
- 8) Encouraging the provision and use of both passive and active recreation areas.
- 9) Preserving and/or increasing the quantity and quality of landscaping.

As is required with all residential development within the Downtown Development District; the

proposed buildings will be providing a minimum of 20% of the total units to be deemed affordable. Therefore, at least 84 units will be set aside for workforce housing units subject to the Deed Covenants and Restrictions that will be indicated as conditions for granting the change of zone.

It is worth noting that the Islip Town Board just recently amended the Zoning Law relating the Downtown Development District to allow 'stand-alone' residential apartments without requiring a mixed-use or commercial component.

SUFFOLK COUNTY PLANNING COMMISSION GUIDELINE CONSIDERATIONS:

The Suffolk County Planning Commissions has identified six general Critical County Wide Priorities and include:

1. Environmental Protection
2. Energy efficiency
3. Economic Development, Equity and Sustainability
4. Housing Diversity
5. Transportation and
6. Public Safety

These policies are reflected in the Suffolk County Planning Commission Guidebook (unanimously adopted July 11, 2012). Below are items for consideration regarding the above policies:

There is no indication in the referred material to the Suffolk County Planning Commission regarding storm water runoff from the contemplated development and how it is to be collected and treated. Storm water runoff from the proposed project should be retained on-site and recharged via a drainage system designed to conform to all applicable Town requirements. Submission materials to the Commission do not indicate that NYS DEC SWPPP requirements will be met, though it is presumed. There is an opportunity to develop the site utilizing best management practices and state of the art storm water treatment methodologies. It is noted that the petitioners have included several landscaped areas amongst proposed impervious parking surfaces adjacent to the building that will be added to help with drainage. The petitioners should be encouraged to review the Suffolk County Planning Commission publication Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein.

No mention of the consideration of energy efficiency is provided in the referral material to the Suffolk County Planning Commission. The petitioners should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, for later site planning stages, elements contained therein applicable for residential and office components of the proposal.

The project is considered a Transit Oriented Development since the proposed apartment building is within .25 miles of Suffolk County bus routes 2A, 2B, S-40, S-42 and S-45. The Walk score for the property is 77. The LIRR Bay Shore station is just diagonally across the street from the subject property which is also a short walk to Main Street, Bay Shore.

As noted above there is no indication in the referred material to the Suffolk County Planning Commission that the petitioner is currently preparing a traffic impact analysis. Such an analysis may be necessary in order to determine the impact to Union Avenue and various road intersections and connecting roadways as a result of full buildout of the petition as presented.

Ground floor and surface parking are proposed providing 618 off street parking stalls where 744 spaces (1.75 per unit plus 1 additional for each 3 bedroom unit) are required by Town of Islip Zoning Law. It is reiterated that the proposal is 17% short of required off street parking. This would imply that the project may tend to necessitate use of the surrounding roadways for parking purposes thereby diminishing the safety and traffic carrying capacity of the roads. More flexibility in design (addition of rain gardens and bio-swales for example) can be achieved by the reduction in surface off street parking. A review of the SCPC Parking Stall Demand Reduction Model Code

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reveals that one can achieve through covenants on the development proposal, reductions in off-street parking demand. For example, applying the provision of “unbundling” the parking costs from monthly rent can reduce the parking demand on-site by an additional 20% (246 spaces). Combination of PSDR techniques can reduce parking demand even further. According to the SCPC study, the addition of a bus stop and shelter can reduce parking demand by 25%. It is the belief of the SCPC staff that the applicant and the Town of Islip should review the Planning Commission Publication on Parking Stall Demand Reduction and incorporate into the proposal techniques that will reduce parking demand and trip generation. It is noted that a bike storage room is included in the petition and may address to some degree, parking stall demand reduction (~10%).

It is the belief of staff that a relatively small grocery retail is desired by the Town to service the local residents. A fully implemented PSDR plan as outlined in the Commission publication may be able to reduce the need for parking stall and thereby the need for surface parking that may provide the area for the desired grocery retail establishment as part of a campus style development.

Little discussion is made in the petition to the Town and referred to the Commission on public safety and universal design. The applicant should review the Planning Commission guidelines particularly related to public safety and universal design incorporate into the proposal, where practical, design elements contained therein.

STAFF RECOMMENDATION

Approval of the change of zone from Business District (BD) to Downtown Development District (DDD) for TREC Bay Shore, LLC with the following comments:

1. A Phase I Environmental Site Assessment should be prepared and submitted to the appropriate agencies for review. The applicant should prepare and submit to the Islip Town Board an asbestos-containing materials (ACMs) removal program and asbestos abatement should be conducted as applicable prior to the demolition or renovation of the building on site in accordance with prevailing regulations. In addition, consideration of any remediation of all potential environmental conditions (PECs) on site should be consistent with a Facility Closure Plan (FAC) as appropriate, in accordance with prevailing regulations, prepared by the petitioner and submitted to the Town of Islip. The FAC should be sanctioned by the appropriate regulatory agencies prior to final site plan approval of the TREC Bay Shore LLC, development project.
2. Any recycling of materials on site should be carried out at the furthest point from residential properties and noise, dust and odor should be controlled under the supervision of the Town of Islip.
3. The petitioner should be encouraged to review the Suffolk County Planning Commission

publication on Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein.

4. Coordination with the Suffolk County Department of Public Works with regard to motor vehicle trip generation and any impacts to Union Boulevard (CR 50) should continue and the applicant should secure any permits as may be applicable.
5. More flexibility in design (addition of rain gardens and bio-swales for example) can be achieved by the reduction in surface off street parking. A review of the SCPC Parking Stall Demand Reduction Model Code

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reveals that one can achieve through covenants on the development proposal, reductions in off-street parking demand. The petitioner should be encouraged to consider additional parking stall demand reduction techniques, where practical, such as unbundling the cost of parking from rent, Ride Share Portals or Pre-tax Commuter Benefit Programs that would lessen the demand for needed parking stalls by lessening the dependency on single occupancy motor vehicles.

6. The petitioner should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, applicable elements contained therein.
7. The petitioner should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to public safety and universal design and incorporate where practical, applicable elements contained therein.

